

ABNER STELSON.

[To accompany bill H. R. No. 39.]

DECEMBER 21, 1835.

Mr. GREENELL, from the Committee of Claims, made the following

REPORT:

*The Committee of Claims, to which was referred the petition of Abner Stelson, report:*

That this case was examined, and a bill reported at the last session. This committee concur in the report of the former committee, and herewith report a bill.

FEBRUARY 21, 1835.

*The Committee of Claims, to which was referred the petition of Abner Stelson, report:*

The petitioner states that he is a resident of the county of Elkhart, and State of Indiana; that, in the summer of 1832, during the late Indian disturbances, at the request of the settlers of the Elkhart country, he carried an express to Governor Noble, at Indianapolis, a distance of one hundred and seventy miles, soliciting, in behalf of the inhabitants, the protection of a military force; that he returned the same distance with the Governor's reply. He further states that he presented his account of sixty dollars for the said service to Major Henry Whitney, an officer for settling claims arising out of the disturbances with the Indians at that period, but was informed by the said Whitney that his account was inadmissible, as Congress had made no appropriation for that class of claims. He states that he has never received compensation for this service, and asks Congress to pass a law for his relief.

The committee referred the papers of the petitioner to the Third Auditor of the Treasury for information on the subject of his claim, and have received his letter in reply, which is referred to as a part of this report. He states that "no evidence in relation to this case can or was expected to be found in this office. The expense is not of a kind considered to be properly chargeable to the United States, and I am not aware of any instance in which remuneration, in such a case, has been granted by them. The communications, of which the petitioner appears to have been the bearer, are not shown to have been connected with the call of any militia

or volunteers into the service of the United States, on the requisition of any officer thereof."

The petitioner made out duplicate accounts against the United States for sixty dollars for the services aforesaid, which were not accepted by Major Whitney; they are produced here, with the certificate of Governor Noble endorsed on them.

Governor Noble states, in his certificate, under date of July, 1833, "that, during the late Indian disturbances, Abner Stelson, Esq. in the capacity of an express, was the bearer of an express from the settlements in Elkhart, and, at my request, conveyed my reply to the inhabitants of that district. His claim of sixty dollars I think reasonable, and should be pleased to see him paid."

It appears, from the letters of the honorable George L. Kinnard and the honorable Jonathan McCarty, which are made a part of this report, that, about the period the petitioner states he performed the services, there were military operations in or near the Elkhart country, upon a requisition made by Governor Noble, from which the committee infer that the express carried by the petitioner was connected with military service; and his account being thought reasonable, they report a bill in his favor.